

### **301 KAR 1:058. Methods for taking turtles.**

RELATES TO: KRS 150.010, 150.400

STATUTORY AUTHORITY: KRS 150.025(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department to promulgate administrative regulations to establish open seasons for the taking of wildlife, to regulate bag limits, to regulate any method of taking, and to make such requirements apply to a limited area. This administrative regulation establishes the species of turtles which may be taken, and the legal methods to take turtles.

Section 1. Definition. "Turtle" means a:

- (1) Common snapping turtle (*Chelydra serpentina*);
- (2) Smooth softshell turtle (*Apalone mutica*); or
- (3) Spiny softshell turtle (*Apalone spinifera*).

Section 2. Turtle Season and Methods of Taking. (1) Turtle season shall be open year-round.

(2) Turtles may be taken day or night.

(3) Unless exempt from license requirements by KRS 150.170(2), (3), (4), or (6), a person who takes a turtle shall possess a valid:

(a) Hunting license if using:

1. A gun; or
2. Bow and arrow;

(b) Sport fishing license if:

1. Using a hook and line in hand;
2. Using a fishing rod or fishing pole in hand;
3. Jugging;
4. Using a setline;
5. Using a sport fishing trot line;
6. Grabbing by hand;
7. Grabbing with a handled hook;
8. Giggling;
9. Snagging; or
10. Using a turtle trap as specified in subsections (4), (5), and (6) of this section.

(4) A turtle trap shall:

- (a) Be a barrel or drum with a tilting board trigger; or
- (b) Be a floating log raft with an enclosed twine or wire mesh bag.

(5) Turtle traps shall not be constructed or set so that other animals may reasonably be expected to be caught.

(6) A person setting a turtle trap shall:

- (a) Inspect the trap daily;
- (b) Remove turtles from the trap, except that one (1) decoy turtle may remain in the trap; and

(c) Release unharmed any species other than a turtle.

(7) A person shall not use commercial fishing gear to take turtles, pursuant to 301 KAR 1:146.

(8) A person shall not take turtles for commercial purposes. (2 Ky.R. 184; eff. 11-12-1975; Am. 25 Ky.R. 1684; eff. 3-10-1999; 30 Ky.R. 2548; 31 Ky.R. 340; eff. 8-26-2004; 38 Ky.R. 1659; 1856; eff. 6-1-2012.)